

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TONI MARIE MOTHE,	)	
	)	CASE NO. C20-5856-RSM
Plaintiff,	)	
	)	ORDER
vs.	)	
	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	
	)	

On September 6, 2022, Plaintiff filed a Motion for Attorney Fees under 42 U.S.C. § 406(b). Dkt #23. On September 13, 2022, Defendant Commissioner of Social Security filed a response noting Defendant was “unable to state a position on the merits of Plaintiff’s request” due to Plaintiff’s failure to attach exhibits referenced in her Motion. Dkt. #24 at 1. Defendant also pointed out that Plaintiff claimed the Court awarded her EAJA fees, when in fact the Court denied Plaintiff EAJA fees as untimely. *See* Dkt. #22. On September 28, 2022, Plaintiff filed a reply admitting her Motion’s deficiencies and finally attaching the aforementioned exhibits. Dkt. #25.

Defendant is directed to file a sur-response by October 12, 2022, and Plaintiff may file a sur-reply if any by October 17, 2022.

DATED this 5<sup>th</sup> day of October, 2022.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE